

Express Mail No. ER 930263901 US

Docket No. C048549/0180225

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ACTING AS  
DESIGNATED/ELECTED OFFICE (DO/EO/US) UNDER THE PATENT  
COOPERATION TREATY CONCERNING A FILING UNDER 35 U.S.C. §371

In re International Application of: )  
Peter KRAAß )  
Based on Int'l Application No.: PCT/EP03/02328 ) Examiner: Not yet assigned  
International Filing Date: 6 March 2003 ) Art Unit: Not yet assigned  
Filed: Herewith )  
For: **MEDICAMENTS CONTAINING ACTIVE** )  
**INGREDIENTS WHICH LOWER THE LEVEL** )  
**OF CHOLESTEROL WITH TIME-DELAYED** )  
**ACTIVE INGREDIENT RELEASE** )

New York, NY  
September 3, 2004

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record the following documents (a Form PTO-1449 listing the documents is enclosed). The following documents were cited in the International Search Report, mailed July 29, 2003 in the International application corresponding to the above-captioned case.

### US PATENT DOCUMENTS

	<u>Document No.</u>	<u>Date</u>
A1	4,871,549	10/3/1989
A2	5,916,595	6/29/1999
A3	2002/0022054	2/21/2002
A4	5,422,121	6/6/1995

### FOREIGN PATENT DOCUMENTS

	<u>Document No.</u>	<u>Date</u>	<u>Country</u>
B1	EP 612 520	8/31/1994	Europe
B2	WO 01/68056	9/20/2001	PCT
B3	EP 485 840	5/20/92	Europe

### OTHER DOCUMENTS

C1 Derwent English language abstract of WO 01/68056 (document B2 above).

Document B3 is not in English. Therefore, an English language equivalent is being submitted as Document A4. Document B2 is also not in English. Therefore, a Derwent English abstract is being provided as Document C1.

The Examiner's independent consideration of all of these documents and their relevance before issuance of the first official action is respectfully requested. The Examiner is also requested to initial and return copies of the accompanying form PTO-1449 to evidence such consideration.

Copies of the International Search Report and International Preliminary Examination Report are included herewith. All documents cited in these reports are identified herein and copies of all documents other than U.S. Patent Documents are

provided. See MPEP § 609(III)(A)(2)(A) (8<sup>th</sup> Ed., Rev. 2, May 2004, p. 600-128); See also 1276 OG 55 (August 5, 2003) (Waiving the requirement under Rule 98(a)(2)(1) to provide a copy of each cited U.S. patent document for any application filed after June 30, 2003.)

This Information Disclosure Statement is being filed in accordance with the provisions under 37 C.F.R. §1.97(b)(2), within three months of the date of entry of the national stage of the international application. Accordingly, no fee is believed to be due. If, however, a fee is due, please charge the same to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

Respectfully submitted,

By: 

Stephen J. Brown  
Registration No. 43,519  
BRYAN CAVE LLP  
1290 Avenue of the Americas  
33<sup>rd</sup> Floor  
New York, NY 10104  
Phone: (212) 541-2000  
Fax: (212) 541-4630

Form PTO-1449 (Rev. )	U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE	ATTY. DOCKET NO. C048549/0180225	INTERNATIONAL APPLICATION NO. 107506583 PCT/EP03/02328
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)		APPLICANT Peter KRAAB	
		INTERNATIONAL FILING DATE 6 March 2003	GROUP Not Yet Assigned

## U.S. PATENT DOCUMENTS

Examiner Initial	CiteNo.	U.S. Patent Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	4,871,549	10/3/1989	Ueda <i>et al.</i>			
	A2	5,916,595	6/29/1999	Chen <i>et al.</i>			
	A3	2002/0022054	2/21/2002	Sawada <i>et al.</i>			
	A4	5,422,121	6/6/1995	Lehmann <i>et al.</i>			

## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	B1	EP 612 520	8/31/1994	Europe				
	B2	WO 01/68056	9/20/2001	PCT				
	B3	EP 485 840	5/20/1992	Europe				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

C1	Derwent English language abstract of WO 01/68056 (document B2 above).	
EXAMINER		DATE CONSIDERED

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.